

Fama, Richard

REDACTED
ATTORNEY CLIENT PRIVILEGE

From: Lauff, Megan [mailto:megan.lauff@fda.hhs.gov]
Sent: Tuesday, November 13, 2007 8:44 AM
To: Hayes, Michael
Subject: RE: Destruction of Recalled Products

Mike

Yes everything in your email below is correct. Please start the process of scheduling the destruction; let me know the tentative date and location so that I can have an investigator witness the destruction.

Please feel free to contact me with any additional questions.

Thanks,
Megan

Megan M. Lauff, Recall Coordinator
FDA/Philadelphia District
U.S. Customhouse, Room 900
2nd & Chestnut Streets
Philadelphia, PA 19106
(215) 717-3749
fax (215) 717-3721
megan.lauff@fda.hhs.gov

From: Hayes, Michael [mailto:Michael.Hayes@DELMONTE.com]
Sent: Friday, November 09, 2007 2:01 PM
To: Lauff, Megan
Subject: Destruction of Recalled Products

As you may recall, the FDA has advised Del Monte to destroy all recalled pet food products, all ingredients containing recalled wheat gluten distributed by Chem Nutra and all raw recalled Chem Nutra

Attachment 2
to Hayes Decl.

11/15/2007

wheat gluten in its possession. From our prior communications, I also understand that:

1. The FDA believes that the continued storage of recalled product represents a health and safety hazard to the general public.
2. This belief is based not upon the manner in which the product is being held by Del Monte but, rather, the FDA's past experiences which have shown that the longer an allegedly defective product is held after the initiation of a recall, the greater the chance it will be accidentally introduced into the stream of commerce.
3. The FDA requires that we contact you, Recall and Emergency Coordinator, so arrangements can be made for FDA personnel to witness the destruction of the recalled product and ingredients.

Before we proceed with the arranging destruction of recalled product and ingredients, I ask that you provide written confirmation to me of the accuracy of the above. Is this something you can provide?

Thank you in advance for you assistance.

Mike Hayes
Del Monte Foods
Director - QA
(412)222-8420 Work
(412)417-0328 Cell
(412)222-1939 Fax

11/15/2007